

**REMARKS**

Claim 27 has been amended. No new matter has been added. Claims 1-26, 28-30, and 33-48 are canceled. Claims 27, 31, 32 and 49-51 are currently pending in this application.

Claims 27, 49 and 50 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Kozicki, U.S. Patent Application Publication No. 2003/0035315 (Kozicki). This rejection is respectfully traversed.

As amended, independent claim 27 recites an “intermediate structure for an array of resistance variable memory cells” comprising “at least one pillar of stacked material layers on a semiconductor substrate, the stacked layers comprising a first electrode layer, a chalcogenide glass layer having metal ions diffused therein and being capable of changing resistance under the influence of an applied voltage, and a second electrode layer, the at least one pillar not located within a via.”

Kozicki relates to a microelectronic programmable structure for storing information. Kozicki discloses that his microelectronic programmable structure includes an ion conductor, which may be a chalcogenide glass with a metal dissolved therein, an electrode and a contact. Kozicki discloses that his microelectronic programmable structure can have several different configurations. However, each of Kozicki’s configurations that include a vertically stacked set of layers is formed within a via or trench of an insulating layer. See e.g., Kozicki, paragraphs [0086], [0089], [0091]-[0096]. Accordingly, no intermediate structure of Kozicki would include “at least one pillar of stacked material layers on a semiconductor substrate, the stacked layers comprising a first electrode layer, a chalcogenide glass layer having metal ions diffused therein and being capable of changing resistance under the influence of an applied voltage, and a second electrode layer, the at least one pillar not located within a via,” as

recited by independent claim 27. For at least these reasons, withdrawal of this request is respectfully requested.

Claims 28-30 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Kozicki, in view of Wolstenholme et al, U.S. Patent Publication No. 5,751,012 (Wolstenholme).

Claims 28-30 have been canceled. Accordingly, this rejection is moot.

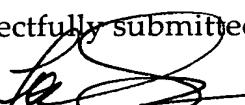
Claims 31 and 32 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Kozicki, in view of Wolstenholme et al, U.S. Patent Publication No. 5,751,012 (Wolstenholme), and in further view of Shroff et al., U.S. Patent No. 6,515,343 (Shroff).

Claims 31 and 32 have been canceled. Accordingly, this rejection is moot.

In view of the above amendment, applicant believes the pending application is in condition for allowance.

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Respectfully submitted,

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